

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BERNARD H. GLATZER,

:
Plaintiff, :
:
- against - :
:

HON. JOHN A. BARONE, et al., :
:
Defendants. :
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VICTOR MARRERO, United States District Judge.

Pro se plaintiff Bernard H. Glatzer ("Glatzer") brought this action pursuant to 42 U.S.C. § 1983 seeking permanent injunctive relief directing defendants to hear and adjudicate certain actions pending before them in New York State courts. Defendants are Justices John A. Barone and Justice Larry S. Schachner of the Supreme Court of the State of New York, Bronx County, and Jonathan Lippman, then Presiding Justice of the New York State Supreme Court, Appellate Division, First Department (collectively "Defendants"). Defendants move to dismiss the action, asserting lack of jurisdiction under the doctrine of Rooker-Feldman, see Rooker v. Fidelity Trust Co., 263 U.S. 413 (1923); District of Columbia Court of Appeals v. Feldman, 460 U.S. 462 (1983), and abstention under Younger v. Harris, 401 U.S. 37 (1971). On March 20, 2009 the Court held oral argument on Defendants' motion. Substantially for the reasons stated at conference, Defendants' motion to dismiss, the grounds for which were set forth in Defendants' letter to the Court dated February 23, 2009 and at the March 2009 hearing is GRANTED. The Court's findings, reasoning and

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conclusions will be stated in a subsequent decision and order.

Accordingly, it is hereby

ORDERED that the motion of defendants to dismiss the complaint of plaintiff Bernard Glatzer on the grounds set forth in their letter to the Court dated February 23, 2009 (Docket No. 6) is GRANTED.

The Clerk of Court is directed to withdraw any pending motions and to close this case.

SO ORDERED.

Dated: New York, New York
30 March 2009



VICTOR MARRERO
U.S.D.J.